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13 Attorneys for Defendants

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 J. C. by and through her parents, NORMAN AND
17 LINA C.,

18 Plaintiff,) Case No.C06-02337 JSW
19 v.) STIPULATION BY STATE DEFENDANTS
20) AND PLAINTIFFS TO AMEND
21) SETTLEMENT AGREEMENT, AND
22) ~~PROPOSED ORDER~~

23 CALIFORNIA SCHOOL FOR THE DEAF,
24 CALIFORNIA DEPARTMENT OF EDUCATION,
25 and FREMONT UNIFIED SCHOOL DISTRICT,

26 Defendants.

27)

28)

29 The parties, through counsel, hereby stipulate to amend the Settlement Agreement made
30 between the parties and approved by this court August 31, 2007 for the following reasons:

31 1. The Settlement Agreement referenced above provides for amendment by mutual
32 agreement of the parties in paragraph IV. C.

33 2. The parties agree defendants California School for the Deaf and California Department
34 of Education have made diligent, good faith efforts to recruit an appropriate teacher or teachers for the
35 ///

1 special day class referenced in paragraph II.A. of the agreement, but to date have been unsuccessful in
 2 finding a qualified teacher with appropriate credentials.

3 WHEREFORE, the parties hereby stipulate and agree to amend subparagraph II.A.2. of the
 4 settlement agreement to read as follows:

5 The State Defendants shall begin operation of this special needs day class no later
 6 than September 1, 2008, the beginning of the 2008/2009 school year, or sooner if
 7 possible. In addition, commencing January 18, 2008, CDE/CSDF shall provide
 8 biweekly reports to plaintiff's counsel describing the efforts of CDE/CSDF to hire an
 9 appropriate teacher, said reports continuing until the teacher is hired, or the State
 10 defendants determine they are unable to find such a teacher and move the court for
 11 relief.

12 IT IS SO STIPULATED.

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 14 Dated: December 21, 2007


 15 REBECCA FREIE
 16 Deputy General Counsel

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Attorneys for Defendants
 California Department of Education and
 California School for the Deaf, Fremont

Dated: December 21, 2007


 WILLIAM KOSKI
 Youth and Education Law Project

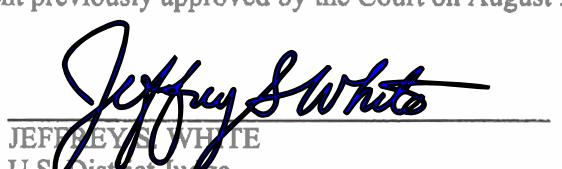
Attorney for Plaintiffs

PROPOSED ORDER

It is hereby ordered the Settlement Agreement previously approved by the Court on August 31, 2007 be amended as set forth herein.

DATED: December 26, 2007

By:


 JEFFREY S. WHITE
 U.S. District Judge